

**Notice of Allowability**

Application No.

09/539,461

Applicant(s)

PARRUCK ET AL.

Examiner

Thien D. Tran

Art Unit

2665

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/20/2006.
2. ☒ The allowed claim(s) is/are 1-5, 7, 6, 8, 9, 11-19, 21 respectively renumbered as 1-19.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                       |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|   | 9. <input type="checkbox"/> Other _____.  |

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ralph Dowell on 03/28/2006.

The specification has been amended as follows:

claim 13, line 14, after "selected ones of said packets", add ---, said router including circuitry for attaching a packet header to each said ATM cells, thereby forming ATM cell-containing packet for switching by the switch---

claim 20 (canceled),

claim 21, line 1, change "The router of claim 20" to ---The router of claim 13---.

### **REASONS FOR ALLOWANCE**

2. The following is an examiner's statement of reasons for allowance:

Regarding claim 1, the prior arts fail to teach or fairly suggest a switching arrangement for switching an ATM cell having an ATM cell header, comprising:

a packet switch device configured to switch packets among a plurality ports, said packet switch device being operatively coupled to a second circuit to receive an ATM cell-containing packet through a first port and to switch the ATM cell-containing packet

to a second port as if the ATM cell-containing packet is a packet of the type normally switched by the packet switch device, in combination with other limitation as specified in the independent claim 1.

Regarding claim 4, the prior arts fail to teach or fairly suggest a method for allowing both packets and ATM cells to be routed via a packet switch, the packet switch routing packets that conform to format requirement, comprising:

formatting includes associating an ATM cell-containing packet with tags, the tags allowing a receiver circuit receiving the ATM-containing packets from the packet switch to identify the ATM cell-containing as packet like series of bits having therein ATM cells, in combination with other limitation as specified in the independent claim 4.

Regarding claim 13, the prior arts fail to teach or fairly suggest a router for routing both ATM cells and packets received from a plurality of router input ports to a plurality of router output ports, comprising:

a switching coupled to a third circuit for receiving a combined data stream, the switch directing information pertaining to individual ones of selected ones of the ATM cell and the selected ones of the packets to respective ones of the plurality of router output ports, the respective ones of the router output ports being ascertained from packet headers associated with the information pertaining to individual ones of the selected ones of the ATM cell and the selected ones of the packets, the router including circuitry for attaching a packet header to each said ATM cells, thereby forming ATM cell-containing packet for switching by the switch, in combination with other limitation as specified in the independent claim 13.

***Conclusion***

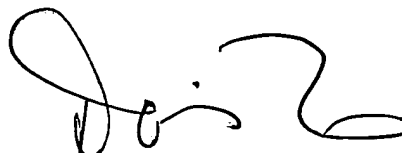
3. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Thien Tran whose telephone number is (571) 272-3156. The examiner can normally be reached on Monday-Friday from 8:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To, can be reached on (571) 272-7629. Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

4. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197.

Patent Examiner

Thien Tran



DORIS H. TO  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600